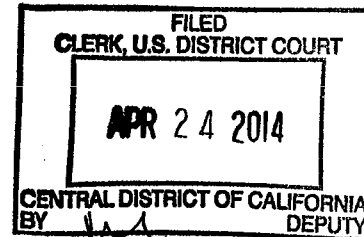


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9 Attorneys for Complainant  
10 United States of America

11 UNITED STATES DISTRICT COURT  
12 FOR THE CENTRAL DISTRICT OF CALIFORNIA

13 IN THE MATTER OF THE  
14 EXTRADITION OF

15 OLIVIER CHAPPUIS,  
16 aka "Omar Chappuis,"

17 A Fugitive from the  
18 Government of Switzerland.

Case No. CV 14-2266-JVS(AJW)

~~PROPOSED~~ CERTIFICATION OF  
EXTRADITABILITY AND ORDER OF  
COMMITMENT

[18 U.S.C. § 3184]

19  
20 The Court has received the Complaint filed on February 12,  
21 2014, by Jamie A. Lang, Assistant United States Attorney for the  
22 Central District of California, for and on behalf of the  
23 Government of Switzerland, pursuant to that Government's request  
24 for the provisional arrest of OLIVIER CHAPPUIS, also known as  
25 "Omar Chappuis." The Government of Switzerland, subsequent to  
26 that date, made a formal request for the extradition of OLIVIER  
27 CHAPPUIS, also known as "Omar Chappuis." The Court has also  
28 received a Stipulation to Simplified Extradition executed by

1 OLIVIER CHAPPUIS, also known as "Omar Chappuis," Deputy Federal  
2 Public Defender Neha Mehta, and Assistant United States Attorney  
3 Jamie A. Lang.

4 The fugitive, OLIVIER CHAPPUIS, also known as "Omar  
5 Chappuis," (hereinafter "the fugitive"), having appeared before  
6 the undersigned judicial officer, represented by counsel, on  
7 April 24, 2014, and having entered into the foregoing  
8 stipulation,

9 THE COURT HEREBY FINDS as follows:

10 1. The fugitive's stipulation to the elements of  
11 extradition is intelligent and voluntary.

12 2. The fugitive is wanted by Swiss authorities to serve  
13 his sentence in case number P/14415/1999 for committing the  
14 following offenses, of which he was convicted in a jury trial  
15 held before the Criminal Court of Geneva, Switzerland:

16 (1) Misappropriation (Breach of Trust), in violation of Article  
17 138 of the Swiss Criminal Code, which carries a maximum penalty  
18 of five years imprisonment, or ten years imprisonment with the  
19 aggravating circumstance of being a professional fund manager;

20 (2) Failure to Comply with Accounting Regulations, in violation  
21 of Article 325 of the Swiss Criminal Code, which carries a  
22 maximum penalty of a fine; (3) Retaining Social Security  
23 Deductions, in violation of Articles 87 and 89 of the Swiss  
24 Federal Law on Retirement Insurance, misdemeanor offenses  
25 pursuant to which one is liable to a monetary penalty up to 180  
26 daily penalty units; (4) Fraud, in violation of Article 146 of  
27 the Swiss Criminal Code, which carries a maximum penalty of five  
28 years imprisonment, or ten years imprisonment if the offender

1 acts for commercial gain; and (5) Counterfeiting Money, in  
2 violation of Article 240 of the Swiss Criminal Code, which  
3 carries a mandatory-minimum penalty of one year imprisonment, or  
4 a maximum penalty of three years in particularly minor cases.  
5 An Order to Incarcerate was issued for the fugitive's arrest on  
6 August 17, 2010, by the Office for the Execution of Penalties  
7 and Measures in Geneva, Switzerland.

8 3. All of the elements of extradition are met,  
9 specifically:

10 a. The undersigned judicial officer, United States  
11 Magistrate Judge Andrew J. Wistrich, and the court on which that  
12 judicial officer sits, have jurisdiction to conduct extradition  
13 proceedings.

14 b. The undersigned judicial officer, United States  
15 Magistrate Judge Andrew J. Wistrich, and the court on which that  
16 judicial officer sits, have jurisdiction over the fugitive.

17 c. An extradition treaty is in force between the  
18 United States of America and Switzerland.

19 d. The fugitive is sought for offenses for which the  
20 applicable treaty permits extradition.

21 e. The fugitive is the subject of the Order to  
22 Incarcerate that was issued for the arrest of OLIVIER CHAPPUIS,  
23 also known as "Omar Chappuis," on August 17, 2010, by the Office  
24 for the Execution of Penalties and Measures in Geneva,  
25 Switzerland, for OLIVIER CHAPPUIS, also known as "Omar  
26 Chappuis," to serve his sentence in case number P/14415/1999,  
27 and there is probable cause to believe that OLIVIER CHAPPUIS,  
28

1 also known as "Omar Chappuis," is guilty of the offenses alleged  
2 in that Order to Incarcerate.

3 4. There are no facts that bar the extradition of the  
4 fugitive under the extradition treaty between the United States  
5 and Switzerland.

6 Based on the foregoing findings, the undersigned judicial  
7 officer concludes that OLIVIER CHAPPUIS, also known as "Omar  
8 Chappuis," is extraditable for each offense for which  
9 extradition was requested, and certifies this finding to the  
10 Secretary of State as required under Title 18, United States  
11 Code, Section 3184.

12 IT IS THEREFORE ORDERED that the Clerk of the Court deliver  
13 to the Assistant United States Attorney a certified copy of this  
14 Certification of Extraditability and the executed Stipulation to  
15 Simplified Extradition and, further, that the Clerk forward  
16 certified copies of the same to the United States Secretary of  
17 State (to the attention of the Legal Adviser) and the Director,  
18 Office of International Affairs, Criminal Division, U.S.  
19 Department of Justice, in Washington, D.C., for the appropriate  
20 disposition.

21 IT IS FURTHER ORDERED that OLIVIER CHAPPUIS, also known as  
22 "Omar Chappuis," be committed to the custody of the United  
23 States Marshal pending final disposition of this matter by the  
24 United States Secretary of State and arrival of agents of the  
25 requesting state, at which time OLIVIER CHAPPUIS, also known as  
26 "Omar Chappuis," will be transferred to the custody of the  
27 agents of the requesting state at such time and place as  
28 mutually agreed upon by the United States Marshal and the duly

1 authorized representatives of the Government of Switzerland to  
2 be transported to Switzerland.

3 IT IS SO FOUND AND ORDERED this 24 day of April, 2014.

4  
5 

6  
7 HON. ANDREW J. WISTRICH  
United States Magistrate Judge

8 Presented by:

9 /s/  
10 JAMIE A. LANG  
Assistant United States Attorney